

## DECISION



THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D.C. 20548

FILE: B-214840

DATE: April 16, 1984

MATTER OF: Metallizing Company of America, Inc.

## DIGEST:

Protest is premature where it does not concern immediate procurement but instead challenges restrictiveness of possible future solicitations.

Metallizing Company of America, Inc. (MCA), a small business supplier of flame spray powder, objects to a proposed requirement by the Department of the Navy that future purchase requisitions for flame spray powder require vendors to supply detailed information concerning the operational parameters and coating properties of their products when applied with a particular manufacturer's equipment. MCA expresses concern that the Navy may unfairly circumvent proper competitive procurement procedures by acquiring flame spray powder under solicitations that impose unnecessary informational and testing requirements on suppliers. MCA believes that the proposed requirement is restrictive and requests that our Office not permit its use.

MCA's objections are premature. In essence, MCA is speculating that the Navy's future requirements for flame spray powder will be restrictively met through a circumvention of proper competitive procurement procedures and that therefore the fairness of future solicitations may be impaired. MCA is thereby anticipating deficiencies in future procurements for the product.

Our Bid Protest Procedures are reserved only for considering whether an award or proposed award of a contract complies with statutory, regulatory, or other legal requirements. Koolshade Corporation, B-197897, September 2, 1980, 80-2 CPD 164. There is no award or proposed award at issue here. MCA is questioning the propriety of future procurements, not a current reviewable solicitation. Under these circumstances, the protest is

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premature and will not be considered. General Mills, Inc., B-199359, September 5, 1980, 80-2 CPD 179; Koolshade Corporation, supra.

The protest is dismissed.

*F. H. Barclay, Jr.*  
*for* Harry R. Van Cleve  
Acting General Counsel